

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Inventor: Karlheinz MAYER et al. Examiner: Unassigned
Serial No: 09/787,919 Art Unit: Unassigned
Filed: April 2, 2001 Atty Dkt: MAYE3003/JEK/JJC
For: A SECURITY ELEMENT

**PETITION FOR ACCEPTANCE AND ENTRY OF INFORMATION DISCLOSURE
STATEMENT AND EXECUTED DECLARATION AS FILED ON JUNE 1, 2001 AND
RETURNED TO APPLICANT**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to Rule 37 C.F.R. § 1.181(a)(3), this Petition is submitted in the above-identified patent application to invoke the supervisory authority of the Commissioner for this application.

For this application, an executed Declaration with the Notification of Missing Requirements, an Information Disclosure Statement ("IDS") and a signed cover sheet (all papers referred to as "filed papers") were inexplicably returned to Applicants' attorney after the documents were properly filed with the U.S. Patent and Trademark Office on June 1, 2001. This petition is to request that the filed papers in question be accepted and entered in the file of the application as of the date they were originally received by the Office.

On June 1, 2001, Applicants filed an assignment along with the filed papers for this application with the PCT branch. Subsequently, on August 16, the Notice of Recordation of the Assignment and the original assignment were sent to Applicants' attorney. The originally signed Declaration, the IDS and other filed papers were included with the returned Notice of Recordation of the Assignment in a plain hand-addressed official PTO envelope (copy appended). There was no explanation as to why the filed papers accompanied the Notice of Recordation of the Assignment. Applicants assume that the filed papers were not entered in the file, but this has not been confirmed.

Applicants again submit herewith the originally executed Declaration and the IDS

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accompanied with the original cover sheet and a true copy of the postcard, both dated and stamped by the Patent and Trademark Office on June 1, 2001. The cover sheet and the postcard provide verification that the filed papers were timely filed in the PCT branch as of June 1, 2001.

Accordingly, Applicants request entry of the executed Declaration and IDS as of June 1, 2001, the original date of filing of the documents.

The Commissioner is hereby authorized to charge any fee which may be required to **Deposit Account Number 02-0200**. However, it is emphasized that this concerns an obvious error by the Office and no fee should be charged to applicant with respect to this petition. A confirmation of corrective action taken is respectfully requested.

Respectfully submitted,
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